

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

TRUSTEES OF THE PAINTERS
UNION DEPOSIT FUND,

Plaintiff,

v.

Case No. 22-12416

EUGENIO PAINTING COMPANY,

Defendant.

SCHEDULING ORDER (PHASE I)

Having reviewed the parties' "Report of Rule 26(f) Discovery Conference" (ECF No. 12), the court agrees that, in the interest of judicial economy, this case should be conducted in phases, with Phase 1 being limited to resolving the scope of Defendant's audit obligation. Accordingly,

IT IS ORDERED that discovery regarding the scope of Defendant's audit obligation shall be completed by **April 24, 2023**.¹

IT IS FURTHER ORDERED that dispositive motions regarding the scope of Defendant's audit obligation shall be filed by **May 24, 2023**.

¹ This is the deadline for completing (not simply scheduling) court-sanctioned discovery. Written discovery must be served in such a manner so that the responses are due by the deadline in accordance with the time for response provided in the applicable Federal Rules of Civil Procedure. Similarly, deposition must be completed, not simply scheduled, by the cut-off date. Extensions of court-supervised discovery are not ordinarily granted in the absence of unusual circumstances. Although unsupervised discovery is sometimes agreed to amongst counsel, court deadlines are not based upon mere agreement between the parties.

s/Robert H. Cleland /
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: February 28, 2023

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 28, 2023, by electronic and/or ordinary mail.

s/Lisa Wagner /
Case Manager and Deputy Clerk
(810) 292-6522

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